
By: **Senator Middleton**

Introduced and read first time: February 6, 2004

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State Finance - State Projects or Programs - Funding**

3 FOR the purpose of providing that certain State projects or programs are not subject
4 to certain provisions of law relating to certain State debt authorizations; and
5 generally relating to the funding of certain State projects or programs.

6 BY repealing and reenacting, without amendments,
7 Article - Agriculture
8 Section 2-505(a)
9 Annotated Code of Maryland
10 (1999 Replacement Volume and 2003 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article - Agriculture
13 Section 2-505(b)
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Natural Resources
18 Section 5-902, 5-9A-01(c), and 5-1505
19 Annotated Code of Maryland
20 (2000 Replacement Volume and 2003 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article - Natural Resources
23 Section 5-9A-01(b) and 5-1501
24 Annotated Code of Maryland
25 (2000 Replacement Volume and 2003 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
27 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Agriculture

2 2-505.

3 (a) The Maryland Agricultural Land Preservation Fund is created and
4 continued for the purposes specified in this subtitle.

5 (b) (1) The Maryland Agricultural Land Preservation Fund shall comprise:

6 [(1)] (I) Any money made available to the Fund by general or special
7 fund appropriations; and

8 [(2)] (II) Any money made available to the Fund by grants or transfers
9 from governmental or private sources.

10 (2) ANY PROJECT OR PROGRAM FUNDED UNDER THIS SUBTITLE IS NOT
11 SUBJECT TO THE PROVISIONS OF §§ 7-305(D)(3) AND 8-128(C) OF THE STATE FINANCE
12 AND PROCUREMENT ARTICLE.

13

Article - Natural Resources

14 5-902.

15 (a) The General Assembly declares that there is need for a program to make
16 funds available to State agencies and any subdivision to:

17 (1) Expedite acquisition of outdoor recreation and open space areas
18 before escalating cost of land prevents its purchase for public use and before potential
19 areas are devoted to some other use; and

20 (2) Accelerate development and capital renewal of needed outdoor
21 recreation facilities.

22 (b) This program is known as Program Open Space and carries out the
23 recommendations of the 1968 Legislative Council committee on recreational areas. By
24 enacting this program, the General Assembly intends to provide funds to the State
25 and its subdivisions to enable them to acquire land for outdoor public recreation and
26 open space use and develop the land for public recreation.

27 (c) (1) To effectuate the purposes of this section, the General Assembly has
28 established a funding program under Chapter 403 of the Acts of the General Assembly
29 of 1969.

30 (2) ANY PROJECT OR PROGRAM UNDER PROGRAM OPEN SPACE IS NOT
31 SUBJECT TO THE PROVISIONS OF §§ 7-305(D)(3) AND 8-128(C) OF THE STATE FINANCE
32 AND PROCUREMENT ARTICLE.

1 5-9A-01.

2 (b) (1) A Rural Legacy Program is established to enhance natural resource,
3 agricultural, forestry, and environmental protection as provided in subsection (a) of
4 this section while maintaining the viability of resource-based land usage and proper
5 management of tillable and wooded areas through accepted agricultural and
6 silvicultural practices for farm production and timber harvests.

7 (2) The Program provides funds to the local governments and land trusts
8 to purchase interests in real property from willing sellers, including easements,
9 transferable development rights, and fee estates, focused in designated Rural Legacy
10 Areas.

11 (3) The Program shall encourage partnerships among the federal, State,
12 and local governments, and nonprofit land trust organizations and encourage local
13 land conservation initiatives.

14 (4) The Program is administered by a Rural Legacy Board in the
15 Department of Natural Resources, an advisory committee, and existing State staff.

16 (c) (1) The Program is funded:

17 [(1)] (I) Pursuant to § 13-209 of the Tax - Property Article and §
18 5-903(a)(2)(iii) of this article; and

19 [(2)] (II) By the proceeds from the sale of general obligation bonds as
20 provided in § 5-9A-09 of this subtitle.

21 (2) ANY PROJECT OR PROGRAM UNDER THE RURAL LEGACY PROGRAM IS
22 NOT SUBJECT TO THE PROVISIONS OF §§ 7-305(D)(3) AND 8-128(C) OF THE STATE
23 FINANCE AND PROCUREMENT ARTICLE.

24 5-1501.

25 There is a Heritage Conservation Fund in the Department.

26 5-1505.

27 (A) Appropriations for the Heritage Conservation Fund may be provided from:

28 (1) Special bond authorization;

29 (2) General funds of the State; and

30 (3) Other sources.

31 (B) ANY PROJECT OR PROGRAM FUNDED UNDER THIS SUBTITLE IS NOT
32 SUBJECT TO THE PROVISIONS OF §§ 7-305(D)(3) AND 8-128(C) OF THE STATE FINANCE
33 AND PROCUREMENT ARTICLE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 June 1, 2004.